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Report of the Human Rights Council

Letter dated 12 November 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement made by the representative of the Russian Federation at the plenary meeting of the sixty-third session of the United Nations General Assembly under the agenda item entitled "Report of the Human Rights Council" (see annex).

I should be grateful if the text of this statement could be issued and circulated as a document of the sixty-third session of the General Assembly under agenda item 58.

(*Signed*) V. **Churkin**

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Annex to the letter dated 12 November 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary General

Statement by the representative of the Russian Federation Mr. O. S. Malginov at the plenary meeting of the sixty-third session of the United Nations General Assembly on agenda item 58, "Report of the Human Rights Council"

4 November 2008

We wish to convey our gratitude to His Excellency Ambassador Martin Uhomoibhi, President of the Human Rights Council, for presenting his report on the work of the Council.

The creation of the Human Rights Council was an important stage in the ongoing reform of the United Nations. We are convinced that the transformation of the main intergovernmental human rights body of the United Nations system from a functional commission of the Economic and Social Council into a subsidiary body of the General Assembly was a significant step towards recognizing the importance of human rights issues and their rightful place among the Organization's priorities. We believe that, in the course of the upcoming review of the Council's activities, there will be a need to systematically assess the strengths and weaknesses of the Human Rights Council and its special procedures and mechanisms in order to adopt the necessary decisions on changing or clarifying the status, mandate, composition, agenda and programme of work of that body. It is very important that the process of analysing the early results of the Council's work should begin now, in the year of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights, when all of us are thinking about how to make the United Nations human rights mechanism more effective and responsive to the needs of all the peoples of the world and all individuals.

In our view, one of the most important functions that the Council is called upon to undertake in compliance with the provisions of resolution 60/251 is the universal periodic review of the human rights situation in States Members of the United Nations. Russia backed the creation of that procedure in the hope that such a review on an equal and mutually respectful basis would help to lessen confrontation in intergovernmental cooperation on human rights.

We are convinced that, in the future, the universal periodic review will have to fully replace the seriously discredited practice of introducing one-sided and politicized country-specific resolutions on human rights situations in individual States. At the same time, we reaffirm the need to comply strictly with existing intergovernmental agreements on modalities for conducting the review, including on the issue of including various categories of participants in the process.

One of the most important instruments through which the Human Rights Council discharges its mandate is the system of special procedures inherited by the Council from the Commission on Human Rights. Unfortunately, along with their clear benefits, the special procedures also possess a number of shortcomings that have been legitimately criticized.

In that respect, we note with satisfaction that, during the two years since the creation of the Human Rights Council, that system underwent a process of critical rethinking and institutional strengthening. An important outcome of that process was the bringing of the main human rights monitoring activities into line with the parameters of the Council's mandate. The functioning of human rights mechanisms is now evolving towards depoliticization. A guarantee of that was the adoption of the Code of Conduct for Special Procedures upon the initiative of Member States at the sixty-second session of the General Assembly. We cherish the hope that the further development of that system will continue in the same direction.

The development of the Human Rights Council's structure was accompanied by the establishment of new forms of relations between Governments and civil society, without which the Council would not be in a position to fulfil its potential. The Russian Federation hopes that the basis for the Council's interaction with human rights non-governmental organizations will be the principles of mutual responsibility and constructive dialogue.

The Russian Federation supports initiatives aimed at a more active participation of the Human Rights Council in reviewing the main areas of activity of the Office of the High Commissioner for Human Rights, including issues related to planning, implementing and rationalizing leading programmes at the global, regional and country levels. We are convinced that cooperation between the Council and the Office must be transparent and based on the principle of reciprocity.

With regard to better relations between the Council and the Office, we also believe that the same principles should be applied as those that were applied between the Office and the former Commission on Human Rights, including accountability. We base that opinion on the fact that the provisions of resolution 48/141, especially the section concerning the Commission's mandate, are by analogy applied to the mandate of the Council. More generally, the final objective of those efforts and cooperation must be to avoid duplication of efforts between all the components of the United Nations system in the field of human rights, which in turn should not compete with each other but complement each other.

The Vienna Declaration and Programme of Action reaffirmed the principle of the equality of all human rights and their interrelation, interdependence and mutual complementarity. In that respect, we would like once again to urge the Human Rights Council to devote equal attention in its activities to all categories of human rights, norms and standards. We are convinced that that principle must be fundamental in determining the priorities and programmes of work of the Council in the near and long-term future.

We believe that the Council should devote due attention to a number of other conceptual issues, including the inter-civilizational and intercultural element in the activities of the United Nations overall. We find it quite justifiable that the leading intergovernmental human rights body should address the issue of the relationship and impact of human rights, norms and standards on traditional values. We are convinced that universal standards in the field of human rights should draw their inspiration from various civilizations and the cultural and historical traditions of various societies. That is what unites us rather than divides us in our commitment to human rights, and we believe that a sound basis for such an approach was established by the Council's special session in March 2008.

The United Nations Human Rights Council is only at an early stage of its development. Whether it can meet the hopes placed in it depends largely on us, the Member States. A guarantee of success will lie in our readiness to listen to each other, to take into account and respect each other's views and to implement the decisions that we ourselves have adopted. We urge our fellow Member States and representatives of civil society to bear that in mind in order to turn the Human Rights Council into a genuinely effective and efficient body.